

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "**TEMPERATURE CONTROLLED SOLUTE DELIVERY SYSTEM**", the specification of which is filed in the U.S. Patent and Trademark Office on 31 March 1998, Serial No. 09/050,927.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim the benefit under Title 35, United States Code, § 120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

I hereby appoint Charles R. Brainard (Reg. No. 21,069), David B. Bonham (Reg. No. 34,297), Robin Kelley (Reg. No. 34,637), David L. Cavanaugh (Reg. No. 36,476), Luke R. Dohmen (Reg. No. 36,783), Judith Toffenetti (Reg. No. 39,048) and Scott T. Bluni (Reg. No. 40,916) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications regarding this application to:

KENYON & KENYON
1025 Connecticut Avenue, N.W.
Suite 600
Washington, D.C. 20036

Direct all telephone calls to Scott T. Bluni at (202) 429-1776.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor : James F. McBride
Inventor's Signature : J. F. McBride
Date : September 10, 1998
Residence : 3636 W. 8th St., Apt. #4
Cincinnati, Ohio 45205
Citizenship : U.S.A.
Post Office Address : same as above

Inventor : Stevin H. Gehrke
Inventor's Signature : Stevin H. Gehrke
Date : August 25, 1993
Residence : 2710 Candelwood Drive
Manhattan, KS 66503
Citizenship : U.S.A.
Post Office Address : same as above

Inventor : John P. Fisher
Inventor's Signature : John P. Fisher
Date : AUGUST 20, 1993
Residence : 3131 TIMMONS LN. APT 307
HOUSTON, TX 77027
Citizenship : U.S.A.
Post Office Address : same as above



UNITED STATES DEPARTMENT OF COMMERCE
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DECEMBER 05, 2000

PTAS

KENYON & KENYON
JUDITH L. TOFENETTI
1500 K STREET, N.W., SUITE 700
WASHINGTON, D.C. 20005



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/11/2000

REEL/FRAME: 011145/0617
NUMBER OF PAGES: 5

BRIEF: RE-RECORD TO CORRECT ASSIGNORS & ASSIGNEES

ASSIGNOR:

MCBRIDE, JAMES F.

DOC DATE: 01/31/2000

ASSIGNOR:

GEHRKE, STEVIN H.

DOC DATE: 01/03/2000

ASSIGNOR:

FISHER, JOHN P.

DOC DATE: 02/01/2000

ASSIGNEE:

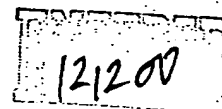
SCIMED LIFE SYSTEMS, INC.
ONE SCIMED PLACE CENTRE
MAPLE GROVE, MINNESOTA 55311-1566

SERIAL NUMBER: 09050927

PATENT NUMBER:

FILING DATE: 03/31/1998

ISSUE DATE:



10-13-2000



101487165

RECEIVED

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

-Y

To the Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

James F. McBRIDE
Stevin H. GEHRKE
John P. FISHER

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name

☒ Other Re-record to correct assignors & assignees

Execution Date: 31 Jan.; 3 Jan.; 1 Feb. 2000; & 17 Nov.
1999

2. Name and address of receiving party(ies):

Name: SciMed Life Systems, Inc.
Internal Address:
Street Address: One SciMed Place Centre
Maple Grove, MN 55311-1566

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s);

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 09/050,927

B. Patent No.(s):

Additional numbers attached: ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Judith L. Toffenetti
Kenyon & Kenyon
1500 K Street, N.W., Suite 700
Washington, DC 20005

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41)\$40.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

11-0600

(Attach duplicate copy of this page if paying by deposit account)

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10/13/2000 DBYRNE 00000041 110600 09050927

01 SEP 11 2000 Statement of Truth Signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Judith L. Toffenetti
Name of Person Signing

Signature

7 September 2000
Date

Total number of pages including cover sheet, attachments, and document: 7

ASSIGNMENT

WHEREAS WE,

James F. McBRIDE a U.S. citizen,
residing at 3636 W. 8th Street, Apt. #4, Cincinnati, Ohio 45205

Stevin H. GEHRKE, a U.S. citizen,
residing at 2710 Candlewood Drive, Manhattan, Kansas 66503; and

John P. FISHER, a U.S. citizen,
residing at 3131 Timmons Lane, Apt. 307, Houston, Texas 77027

(hereinafter "INVENTORS"), have invented certain new and useful improvements in:

TEMPERATURE CONTROLLED SOLUTE DELIVERY SYSTEM

for which an application for United States Letters Patent was filed in the United States Patent and Trademark Office on 31 March 1998, and assigned the Serial Number 09/050,927; and

WHEREAS, SCIMED Life Systems, Inc., a corporation duly organized and existing under and by virtue of the laws of Minnesota, and having its principal place of business at:

One SCIMED Place, Maple Grove, Minnesota 55311-1566, United States of America

(hereinafter "ASSIGNEE") is desirous of acquiring the entire right, title and interest in and to said application and the invention therein described and claimed, and to any Letters Patent that may be granted therefor in the United States and in any and all foreign countries.

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States, and other valuable considerations, in hand paid to us, the receipt and sufficiency whereof is hereby acknowledged, the said INVENTORS have sold, assigned and transferred and do hereby sell, assign and transfer unto ASSIGNEE, its successors and assigns, the entire right, title and interest in and to said application and the invention therein contained, including the right to apply for any Letters Patent in the United States of America and in any and all foreign countries on said invention, and any and all other applications for Letters Patent on said invention, in whatsoever countries, including all divisions, reissues, continuations and extensions thereof, and Convention applications based upon said invention or upon said application, to the full end of the term or terms for which said Letters Patent may be issued, and every priority right that is or may be predicated upon or arise from said invention, said application, or said Letters Patent, the same to be held and enjoyed by ASSIGNEE, its successors and assigns.

WE HEREBY authorize and request the U.S. Patent and Trademark Office to issue any and all of said Letters Patent, when granted, to ASSIGNEE as the assignee of our entire undivided right, title and interest in and to the same, for the sole use and behoof of ASSIGNEE, its successors and assigns.

FURTHER, WE agree that we will communicate to ASSIGNEE or its representatives any facts known to us respecting said INVENTION, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitution, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to ASSIGNEE, make all rightful oaths and generally do everything possible to aid ASSIGNEE, its

successors and assigns, to obtain and enforce proper protection for said INVENTION in the United States and its territorial possessions.

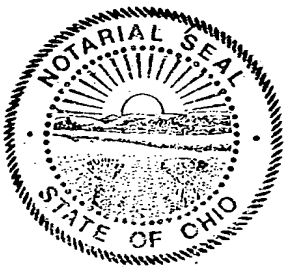
IN TESTIMONY WHEREOF, We have hereunto set our hands:

JANUARY 31, 2000
Date

[Signature]
Inventor: James F. McBRIDE

UNITED STATES OF AMERICA)
STATE OF OHIO) ss. :
County of HAMILTON)

On this 31ST day of JANUARY 2000
1999, before me personally came
James F. McBRIDE, to me known to be the individual described in and who executed the foregoing
instrument, and acknowledged execution of same.



[Signature]
Notary Public
SINA M. RUSK
Notary Public, State of Ohio
My Commission Expires 7/23/2002

1/3/00

Stevin H. Gehrke

Date

Inventor:

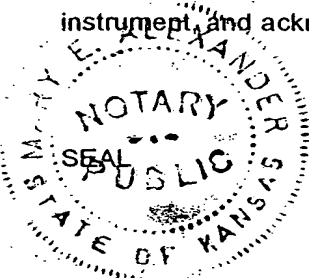
Stevin H. GEHRKE

UNITED STATES OF AMERICA)

STATE OF KANSAS) ss. :

COUNTY OF Riley)

On this 3rd day of January ~~1999~~ ²⁰⁰⁰ before me personally came
Stevin H. GEHRKE, to me known to be the individual described in and who executed the foregoing
instrument, and acknowledged execution of same.



Mary E. Alexander
Notary Public

my appointment expires 9/30/01

Date

2/1/00

Inventor:

John P. FISHER

UNITED STATES OF AMERICA)

STATE OF TEXAS) ss. :

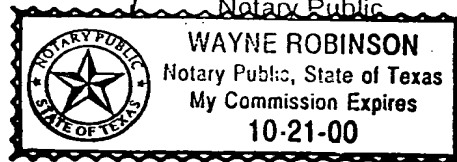
COUNTY OF Harris)

On this 1st day of February ~~1999~~ ²⁰⁰⁰ before me personally came
John P. FISHER, to me known to be the individual described in and who executed the foregoing
instrument, and acknowledged execution of same.

SEAL

Wayne Robinson

Notary Public



WHEREAS WE; SCIMED LIFE SYSTEMS, INC. (the ASSIGNEE referred to above), hereby
accept the foregoing assignment of the entire right, title and interest in and to U.S. Application Serial

Number 09/050,927 entitled TEMPERATURE CONTROLLED SOLUTE DELIVERY SYSTEM, and the invention or inventions described and claimed therein, and we hereby re-assign said Application Serial No. 09/050,927 and any patent that may issue therefrom, including all rights to file in foreign countries to the UNIVERSITY OF CINCINNATI, Office of Intellectual Property, G-13 Wherry Hall, P. O. Box 670829, Cincinnati, Ohio 45267-0829.

IN WITNESS WHEREOF, we have hereunto set our hand:

Date: Nov 17, 1999

SCIMED LIFE SYSTEMS, INC.



By: _____

Name: PATRICIA DAVIS

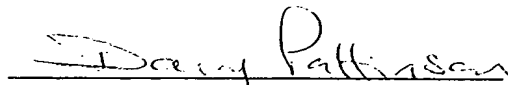
Title: SENIOR PATENT ATTORNEY

STATE OF MINNESOTA HA)

) ss.:

COUNTY OF MIDDLESEX)

On this 17 day of November 1999, before me, a Notary Public, personally appeared Patricia Davis, to me known to be the Senior Patent Attorney of SCIMED LIFE SYSTEMS, INC., and the individual described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the purpose therein set forth.



Notary Public

Darry R. Pattinson

My commission expires: **NOTARY PUBLIC**

My commission expires May 25, 2001

(SEAL)

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